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9 *Counsel for Russell Nype*
10 *and Revenue Plus, LLC, Plan Proponents*

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re	Case No. BK-S-19-15333-MKN
LAS VEGAS LAND PARTNERS, LLC,	Chapter 11
Debtor.	SUPPLEMENT TO REPLY BRIEF IN SUPPORT OF MOTION TO CONVERT CHAPTER 7 CASE TO CHAPTER 11 CASE
	Hearing Date: September 28, 2022 Hearing Time: 2:30 p.m.

RUSSELL NYPE and REVENUE PLUS, LLC (collectively, “Creditors” or “Movants”), by and through their counsel, Schwartz & Imes Law Firm PC, pursuant to Bankruptcy Code §706(b), file this Supplement to Reply Brief in Support of Motion to Convert Case of LAS VEGAS LAND PARTNERS, LLC (“Debtor”) from a Chapter 7 case to a Chapter 11 case (ECF 125).

Attached hereto as **Exhibit “2”** is a Declaration of Tara Stracom which was signed and delivered to my office by email from Russell Nype on or about September 20, 2022. Also attached hereto as **Exhibit “3”** is an email from Ms. Stracom to me stating:

Please be advised that I am rescinding the Declaration of Tara I. Stacom that I signed on September 19, 2022 and I do not give you permission to file this document with the

U.S. Bankruptcy Court, District of Nevada. I have also been instructed that myself and any other employee of Cushman & Wakefield are not authorized to speak with you regarding the sale of the RTC property. All requests for future updates should be sent to the Trustee's counsel.

Ms. Stracom's email does not say that she didn't sign the Declaration or that her testimony is untrue. It appears that she was told by Trustee's counsel not to provide her relevant testimony.

Prior to the preparation of the Declaration of Tara Stracom, I received an email from Russell Nype which included an email chain with an email from Tara Stracom dated September 18, 2022 which stated:

Rusty ,
Larry and I have never been of the opinion as seasoned real estate professionals that there is any potential for a transaction in 2022.

In this instance it's even more complicated than usual given the federal government involvement and multiple parties. If it came across differently in the facts we were told to outline that was never our intention. That timeframe would never be possible.


Best ,
Tara

That email is attached as **Exhibit "4"**. I used that email for preparing a draft of the Declaration which left paragraphs 4 and 5 blank for Ms. Stracom to complete. A copy of that draft is attached as **Exhibit "5"**.

The Declaration (**Exhibit "2"**) should be considered by the Court.

DATED: September 21, 2022

SCHWARTZER & IMES LAW FIRM PC


Lenard E. Schwartzer, Esq.

2850 South Jones Blvd., Suite 1

Las Vegas, Nevada 89146-5640

Attorneys for Russell Nype and Revenue Plus, LLC

EXHIBIT 2

LENARD E. SCHWARTZER (NV Bar No. 0399)
JASON A. IMES (NV Bar No. 7030)
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*Counsel for Russell Nype
and Revenue Plus, LLC, Plan Proponents*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re	Case No. BK-S-19-15333-MKN
LAS VEGAS LAND PARTNERS, LLC,	Chapter 11
Debtor.	DECLARATION OF TARA I. STACOM

Hearing Date: September 28, 2022
Hearing Time: 2:30 p.m.

I, TARA I. STACOM, state under penalty of perjury:

I state the following based on personal knowledge.

1. I am the Executive Vice Chairman, Brokerage Services, and Member Global Management Committee of Cushman & Wakefield U.S., Inc. dba Cushman & Wakefield ("Cushman") based in New York.

2. Larry Wilks is an Executive Managing Director in the Corporate Capital Markets Division of Cushman.

3. I have read the Declaration Larry Wilks prepared by the Trustee's counsel in this case.

4. I am leading the Cushman & Wakefield project team's sales efforts pertaining to the Bonneville Transit Center property.

5. I'm the most senior member of the Cushman & Wakefield project team pertaining to the sale of the Bonneville Transit Center property.


1 6. Larry Wilks and I are not of the opinion as seasoned real estate
2 professionals that there is any potential for a transaction with the Regional
3 Transportation Commission of Southern Nevada (the “RTC”) regarding the
4 Bonneville Transit Center property to close in 2022.

5 7. In this instance it’s even more complicated than usual given the federal
6 government involvement and multiple parties.

7 8. If Mr. Wilks’ Declaration gave the impression that the sale to the RTC
8 could occur in 2022, it was not our intention.

9 SIGNED: September 19, 2022

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Tara I. Stacom

EXHIBIT 3

From: [Tara Stacom/USA](#)
To: [russellnype@icloud.com](#); [Lenard Schwartzer](#); [Lenard Schwartzer](#)
Cc: [Larry Wilks/USA](#)
Subject: RTC Property
Date: Wednesday, September 21, 2022 9:50:06 AM
Attachments: [image001.png](#)
[Declaration of Tara Stacom.pdf](#)

Rusty and Lenard,

Please be advised that I am rescinding the Declaration of Tara I. Stacom that I signed on September 19, 2022 and I do not give you permission to file this document with the U.S. Bankruptcy Court, District of Nevada. I have also been instructed that myself and any other employee of Cushman & Wakefield are not authorized to speak with you regarding the sale of the RTC property. All requests for future updates should be sent to the Trustee's counsel.

Thank you,

Tara

Tara I. Stacom
Executive Vice Chairman
Brokerage Services
Member, Global Management Committee

Direct: +1 212 841 7843
Mobile: +1 917 825 0123
Fax: +1 212 805 1586
tara.stacom@cushwake.com



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EXHIBIT 4

From: Russell Nype
To: Lenard Schwartzer; Lenard Schwartzer
Subject: Fwd: 136 - Wilks Declaration - Trustee's Opposition to Motion to Convert.pdf
Date: Sunday, September 18, 2022 1:08:18 PM

Tara will state the truth if we need her.

Sent from my iPhone

Begin forwarded message:

From: Tara Stacom/USA <Tara.Stacom@cushwake.com>
Date: September 18, 2022 at 4:05:04 PM EDT
To: Russell Nype <russellnype@icloud.com>
Cc: Larry Wilks/USA <Larry.Wilks@cushwake.com>
Subject: Re: 136 - Wilks Declaration - Trustee's Opposition to Motion to Convert.pdf

Rusty ,

Larry and I have never been of the opinion as seasoned real estate professionals that there is any potential for a transaction in 2022.
In this instance it's even more complicated than usual given the federal government involvement and multiple parties. If it came across differently in the facts we were told to outline that was never our intention. That timeframe would never be possible.

Best ,

Tara

Tara I. Stacom
Executive Vice Chairman
Brokerage Services
Member, Global Management Committee

Direct:+1 212 841 7843
Mobile:+1 917 825 0123
Fax:+1 212 805 1586
tara.stacom@cushwake.com

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www.cushmanwakefield.com

On Sep 17, 2022, at 9:25 AM, Russell Nype
<russellnype@icloud.com> wrote:

Tara,

This hurts me as it does not represent what is occurring in timing, as Wilks and Alisa agreed yesterday. And we don't know where The RTC will be in their appraisals and whether that will be acceptable. Negotiation on price post three appraisals must be allowed time to be sure we gain the best price.

This document states many facts that are true, but is not realistic to close a transaction in 2022 as I discussed and agreed yesterday with Alisa and Wilkes.

Realistic timing:

September/October:

Wilkes must write a "parameter of assumptions"

Alisa needs to set up a meeting with Greg Gilbert at RTC to negotiate and agree to parameters

Parameters must be agreed by Greg Gilbert and the government appraisers and final agreement reached for appraisals to initiate
To be completed in September, early October.

October/November:

Our appraiser and RTC appraisers must have 3 weeks for Appraisal which will not initiate until October

Once completed the 3 must be discussed/negotiated and agreed to a "recommended/approved", if possible, single number, or range of numbers in November

Approved presentation will be written no earlier than November.

December/January:

Depending on agreement between us and RTC, if that can be reached, Greg Gilbert will at earliest schedule a presentation with The RTC Board in December, earliest, or perhaps January.

Board must consider proposal and must if they wish to move forward initiating work on funding alternatives, which need government approval and time to accomplish in January, February, March, while lawyers are "papering" the transaction.

January- March:

Financing must be put in place before any transaction closing can be scheduled; likely no earlier than February/March or later if needed.

Wilk's point that "penalty interest" if closed in 2022 is \$9.3 million I am sure is true if he says it and "suggests" a potential closing in 2022; but as interest rates overall rise that penalty continues to decline and the possibility of a closing in 2022 virtually impossible from my conversation with Alisa and Wilks impossible and we all agreed first quarter 2023 is most likely the earliest.

Wilke's document to Houmand is not only unrealistic in timings, and does not express all that must occur but to give any hope of a signed and closed agreement in 2022 is naive, works against my interests of negotiating the highest price and is simply wrong.

I don't like this document to Houmand authorized by you, I assume, occurred and it does not represent what he, Alisa, Greg Gilbert (as evidenced by his unwillingness until at earliest December to even discuss with Board clearly demonstrates). All of this was discussed as recently as yesterday.

Houmand gained from Wilk's a document to be used in court against me that is fundamentally flawed and not true that it is not stating all that must still be done and the timing it requires.

And who are all these many people at Brookfield C&W has been meeting with? I thought Patel was handling this directly.

Sent from my iPad

> On Sep 16, 2022, at 7:20 PM, Russell Nype
<russellnype@icloud.com> wrote:

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>
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Sent from my iPhone

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<136 - Wilks Declaration - Trustee's Opposition to Motion to Convert.pdf>

EXHIBIT 5

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**UNITED STATES BANKRUPTCY COURT
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Debtor.	DECLARATION OF TARA I. STRACOM

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I, TARA I. STRACOM, state under penalty of perjury:

I state the following based on personal knowledge.

1. I am the Executive Vice Chairman, Brokerage Services and Member, Global Management Committee of Cushman & Wakefield U.S., Inc. dba Cushman & Wakefield ("Cushman") based in New York.
2. Larry Wilks is an Executive Managing Director in the Corporate Capital Markets Division of Cushman.
3. I have read the Declaration Larry Wilks prepared by the Trustee's counsel in this case.
4. [Clarification of Ms. Stracom's relationship to the sales effort]
5. [Clarification of Ms. Stracom's position at Cushman compared to Wilks]
6. Larry Wilks and I have never been of the opinion as seasoned real estate professionals that there is any potential for a transaction with the Regional

1 Transportation Commission of Southern Nevada (the “RTC”) regarding the
2 Bonneville Bus Terminal to close in 2022.

3 7. In this instance it’s even more complicated than usual given the federal
4 government involvement and multiple parties.

5 8. If Mr. Wilks’ Declaration gave the impression that the sale to the RTC
6 could occur in 2022, it was not our intention.

7 SIGNED: September __, 2022

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10 Tara I. Stracom

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